

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

RICHARD NOWAK and LUCINDA L.
WILLIAMS,

Plaintiffs,

v.

DAVID M. BORTLE JR. and AUDREY
ROSENBALM

Defendants.

C.A. No.: 08-379 GMS

NOTICE OF SERVICE OF PROCESS AND COMPLAINT

Plaintiffs, by and through their attorneys, hereby file with this Court, in accordance with 10 Del. C. §3112, proof of receipt of notice by the defendant, Audrey Rosenbalm. Attached hereto as Exhibit "A" is the mailed transmission from the United States Postal Service evidencing receipt of the registered letter along with the actual receipt of mailing. The Affidavit of Cynthia H. Pruitt, Esquire, evidencing transmittal of said registered article is attached hereto as Exhibit "B". A copy of the actual notice sent to defendant, Audrey Rosenbalm, is attached hereto as Exhibit "C".

DOROSHOW, PASQUALE
KRAWITZ & BHAYA

By: /S/ CYNTHIA H. PRUITT
ARTHUR M. KRAWITZ (2440)
CYNTHIA H. PRUITT (4365)
1202 Kirkwood Highway
Wilmington, DE 19805
Ph: (302) 998-0100
Fax: (302) 998-9883
Attorneys for Plaintiff
ArthurKrawitz@dplaw.com
CynthiaPruitt@dplaw.com

DATED: 7/18/08

EXHIBIT "A"

R. Nowak
TEB

Registered No. **RA 519 691 519 US**

To Be Completed By Post Office	Reg. Fee	10.00	Date Stamp JUL 10 2008 WILMINGTON 42301 (TEB)
	Handling Charge		
	Postage	1.34	
	Return Receipt	2.20	
	Restricted Delivery		
	Received by	KB	
	Customer Must Declare Full Value \$	0	<input type="checkbox"/> With Postal Insurance <input type="checkbox"/> Without Postal Insurance
Domestic Insurance up to \$25,000 is included in the fee. International Indemnity is limited. (See Reverse).			
OFFICIAL USE			
To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed	FROM	Doroshow, Pasquale, Krawitz & Bhaya 1202 Kirkwood Highway Wilmington, DE 19805	
	TO	Audrey Rosenbalm 116 Street Road Cochranville, PA 19930	

PS Form 3806, Receipt for Registered Mail Copy 1 - Customer
 May 2004 (7530-02-000-9051) (See Information on Reverse)
 For domestic delivery information, visit our website at www.usps.com®

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature X Mildred E. Sweet <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>Audrey Rosenbalm 116 Street Road Cochranville, PA 19930</p>		<p>B. Received by (Printed Name) MILDRED E. SWEET</p> <p>C. Date of Delivery 7/10/08</p>	
<p>2. Article Number (Transfer from service label) RA 519 691 519 US</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>	
<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input checked="" type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

EXHIBIT "B"

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

RICHARD NOWAK and LUCINDA L.
WILLIAMS,

Plaintiffs,

v.

DAVID M. BORTLE JR. and AUDREY
ROSENBALM

Defendants.

C.A. No.: 08-379 GMS

STATE OF DELAWARE :
: SS
COUNTY OF NEW CASTLE :

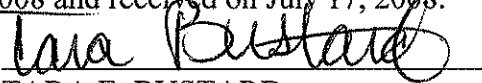
TARA E. BUSTARD, ESQUIRE, being duly sworn according to law, deposes and says:

1. That Doroshow, Pasquale, Krawitz, & Bhaya represents the plaintiffs in Civil Action No. 08-379 in which David M. Bortle, Jr. and Audrey Rosenbalm are defendants.

2. The notice required pursuant to 10 Del. C. §3112 was mailed, by registered mail, postage prepaid, return receipt requested, on July 7, 2008. The post office receipt obtained at the time of mailing the registered letter containing the notice is the receipt attached to this Affidavit.

3. The notice provided for in 10 Del. C. §3112 was contained in the envelope at the time it was mailed.

4. The return receipt signed by Mildred E. Sweet as an agent for defendant, Audrey Rosenbalm, was returned to the sender on July 10, 2008 and received on July 17, 2008.

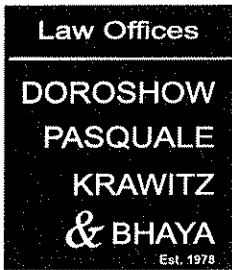

TARA E. BUSTARD

SWORN TO AND SUBSCRIBED before me this 18th day of July, 2008.


Notary Public

MARIBEL SANTIAGO
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires Sept. 13, 2008

EXHIBIT "C"



September 26, 2007

PLEASE RESPOND TO:

1202 Kirkwood Highway
Wilmington, DE 19805

ERIC M. DOROSHOW, DE, PA, DC
ROBERT PASQUALE, DE, PA
ARTHUR M. KRAWITZ, DE, PA
SHAKUNTALA L. BHAYA, DE, PA
DONALD E. GREGORY, DE
DEBRA C. ALDRICH, DE, PA
DONALD E. MARSTON, DE
ANDREA G. GREEN, DE, MD
JESSICA LEWIS WELCH, DE
ANGELA PINTO ROSS, DE

Audrey Rosenbalm
116 Street Road
Cochranville, PA 19930

REGISTERED LETTER
RETURN RECEIPT REQUESTED

RE: Notice of Service of Process
Pursuant to 10 Del. C. §3112
Richard Nowak et al v. David M. Bortle, Jr. et al
C.A. No.: 8-379

VICTORIA J. HOFFMAN, DE, MD, VA, DC
MATTHEW R. FOGG, DE, NJ
CYNTHIA H. PRUITT, DE
NINA PAPPOULIS, DE
TARA A. BLAKELY, DE
DEBORAH J. GALONSKY, DE, NJ
TARA E. BUSTARD, DE, NJ, PA
NICOLE M. EVANS, DE
VINCE R. MELONE, DE, NJ, PA
ELISABETH R. YOUNG, DE
JENNIFER E. ALEXION, MD only

Dear Ms. Rosenbalm:

This letter is to advise you that this office represents Richard Nowak, who has filed suit against you in the United States District Court for the District of Delaware with regard to an accident occurring on May 28, 2007. Enclosed you will find a copy of the Complaint filed with the United States District Court for the District of Delaware and a copy of the Summons, the original which was served upon the Secretary of State of the State of Delaware. Pursuant to 10 Del. C. §3112, the Secretary of State has been appointed your agent for the acceptance of legal process in any civil action against you as a non-resident wherein you caused tortious injuries within the State of Delaware. Under the provisions of 10 Del. C. §3112, such service shall be the same legal force and validity as if served upon any non-resident personally within the State and such appointment of Secretary of State is irrevocable and binding upon you or your heirs.

If this Complaint is not answered within twenty (20) days after receipt, a Default Judgment will be held against you in the Superior Court of the State of Delaware. I advise you to immediately take this letter, with the enclosures, to an attorney or your insurance company.

Very Truly Yours,

CYNTHIA H. PRUITT

1202 Kirkwood Highway
Wilmington, Delaware 19805
(302) 998-0100
Facsimile: (302) 998-9883

1701 Pulaski Highway
Bear, Delaware 19701
(302) 832-3200
Facsimile: (302) 834-8186

911 S. DuPont Highway
P.O. Box 1428
Dover, Delaware 19903
(302) 734-8700
Facsimile: (302) 734-8674

500 W. Loockerman Street
Suite #120
Dover, Delaware 19904
(302) 674-7100
Facsimile: (302) 674-5514

28535 Dupont Boulevard
Suite #2
Millsboro, Delaware 19966
(302) 934-9400
Facsimile: (302) 934-8400

1008 N. Walnut Street
Milford, Delaware 19963
(302) 424-7744
Facsimile: (302) 424-1176

World Wide Web
www.dplaw.com

Enclosures
cc: *Richard Nowak*